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WAS CLAYTON'S MURDER A POLITICAL CRIME?

BY SENATOR JAMES K. JONES, OF ARKANSAS.

SINCE the assassination of President Garfield, no crime committed in this country has caused more deep and wide-spread feeling than the recent murder of Colonel John M. Clayton, and nowhere has this crime been so strongly condemned and keenly felt as in Arkansas.

The entire press of the State is teeming with denunciations of it, and each issue of every paper is demanding the apprehension and punishment of the assassin. Immediately upon the announcement of the terrible event, town-meetings were held, amid the greatest excitement, in all parts of the State, and expressions of the strongest condemnation of the outrage, together with the most vigorous demands for prompt and effective action by the officers of the law, came up from every quarter.

The Governor immediately offered the largest reward for the apprehension of the criminal permissible under the law, and the Legislature promptly passed an act authorizing the offer of an amount fivefold as large—the largest, in fact, ever offered by the State for the arrest of any criminal; and this has been supplemented by rewards offered by individuals and commercial bodies.

The coroner assembled a jury at nine o'clock on the morning after the killing and made a careful examination of the body, its position, surroundings, and the tracks about the window, making every effort to follow up each clew that might lead to detection. Witnesses were sworn and examined, their evidence was taken down, and every effort made to find the offenders and bring them to justice. The dead body of Colonel Clayton was, from the first hour, in the charge and keeping of his attending friend and lawyer. The reported coolness of the people of Plummerville towards his brother, on the next day, was but the unwillingness of a feeling people to obtrude themselves upon the grief of a stranger. Complaint has been made that the sheriff was not promptly on the ground; but in these accusations no mention is made of the fact that his deputy was there, and that on the night of the killing the

sheriff himself was some thirty miles away from the scene of the tragedy, employed in the discharge of public duties, off the railroad, away from any telegraph line, and that it was impossible for him to know anything of the murder until a messenger could reach him on horseback.

The State's attorney for the district went personally to the locality, and has given his counsel and aid to the sheriff in the investigation of the crime. The sheriff has provided himself with every means possible, and is doing all in his power to ferret out the mystery and make known the offenders. The details of this work, of course, cannot be made public now without endangering success ; but everything possible has been and will continue to be done.

The Governor and other high State officials, and citizens from all parts of the State, singly and in bodies, attended the funeral; every one present was impressed by the manifestations of deep and earnest feeling on the part of the assembled thousands, and the sincere sympathy expressed for the family of the deceased. By far the greater part of the vast assemblage on that solemn occasion was composed of Democrats, between whom and General Powell Clayton there had existed for years the bitterest political antagonisms. This great gathering and the strong feeling manifested there and all over the State show how completely the people were startled by this horrible crime, their intense feeling toward the guilty, and their profound and tender sympathy for the afflicted family of the dead. This feeling was intensified by the consciousness present in the heart of every one that this base and horrible murder, while inflicting the greatest wrong and suffering upon the children of Colonel Clayton, had also placed a blot upon the good name of our State which even the blood of the guilty could not efface. For years the progress and development of Arkansas have been the source of the greatest pride to her citizens. Immigrants are coming from all quarters of the Union to make their homes with us. The State is increasing in wealth and prosperity ; crime has been punished with a certainty that has not been surpassed by any State, if, indeed, the record has been equalled ; her public-school system is rapidly developing and advancing, and her people were proudly calling attention to all these things and boasting of the orderly and law-abiding character of her citizens.

It is, unfortunately, true that murders are not uncommon under any form of civilization, and many of the most revolting are committed in communities where refinement and cultivation are found, and where the people consider themselves the most favored of the earth. Often the perpetrators of such crimes remain undiscovered and go unpunished; and so it may prove in this case. But if it should be so, it would be a strong circumstance to show that the murderer was careful to keep his own counsel and that the general public has no idea of his identity. If this murder is the result of the depravity of a single man, the act of one individual inspired by personal malice toward the deceased, or urged on by the hope of an advantage to himself only, then it takes its place among, and has no greater significance than, other atrocities committed from time to time by bad men. But there is a conjecture and there are charges that it is something more than this, and thus this crime acquires unusual prominence in the public mind.

Colonel Clayton, a Republican, was assassinated while in the act of prosecuting a contest for a seat in the House of Representatives held by a Democrat. This circumstance gives color to the suggestion that the killing was done for the purpose of putting an end to the contest; but all thinking men know that the effect is, and of necessity must have been, just the reverse. When President Garfield was killed, at a time of great party excitement and the deepest political feeling, the horror felt by all was intensified by the fear that this act might have been the result of a conspiracy among disappointed and malignant partisans, or planned by persons who, consumed by lust of power, hoped to reap advantage from the death of the President. Apparently in that case succession and confirmation of title by death were certain. How different were the circumstances from those attending the killing of Clayton! Here loss and injury, not profit, both to Mr. Breckinridge and the Democratic party, were the certain result of the crime; and yet the world is asked by men, themselves in public life, to believe that our public life has sunk so low, our public men are so base, and our people are such hypocrites and idiots as to do deeds like this with such a purpose in view.

This charge is most readily accepted where least is known of the people of Arkansas. Those who thoroughly understand the people of that State, their nature and characteristics, will feel an

abiding confidence, an absolute conviction, that the murder of Clayton was the act of some poor wretch moved by considerations wholly personal to himself.

In November last, at the Congressional election, when Mr. Breckinridge and Colonel Clayton were opposing candidates, a ballot-box was stolen and destroyed at Plummerville. This box was claimed by Colonel Clayton to have contained five hundred and seventy-two Republican and one hundred and twenty-five Democratic votes. Allowing this claim, and deducting this majority of four hundred and forty-seven for Clayton at this box from Breckinridge's majority in the district, Breckinridge was still elected by three hundred and ninety-nine votes. But it was the destruction of this ballot-box, and not the votes in it, that furnished the real ground of this contest.

I feel safe and justified in saying that there was never at any time, after the returns were in, a doubt in the mind of Mr. Breckinridge, or any of his friends, of his fair, legal, and honest election. That the other side had doubts may be safely inferred from the fact that no notice of contest came to Mr. Breckinridge for a long while ; not, in fact, until it was apparent that the next House would be Republican. Even with a Republican House, the friends of Mr. Breckinridge felt no uneasiness as to the result. They were perfectly sure that—even admitting Colonel Clayton's entire claim as to this box—the number of votes claimed there was wholly insufficient to establish Clayton's right to the seat ; hence what was going on there gave them no particular concern.

But there was a party who, we may naturally believe, watched the proceedings of Colonel Clayton there with feelings of apprehension. That party was a man or men engaged in the destruction of the ballot-box, and who stood in fear of the penitentiary. While Clayton was collecting evidence in his contest, he is said to have been attended by a detective, and he was, doubtless, patiently and persistently following up every clew that could lead to the punishment of the perpetrators of the outrage. There was something additional to the search after votes. The guilty, of course, would naturally keep a close watch upon these things, and whenever they found themselves being hemmed in, partly, perhaps, from a belief that no one else knew as much as Clayton, and that to kill him would lessen the danger of detection, and partly to gratify a feeling of revenge against the man who, they felt, was

upon their track and following them persistently, they doubtless killed him. The instances are many where an effort to conceal one crime has led to others ; and this, I submit, is the most reasonable hypothesis upon which this murder can be accounted for. I know it has been charged that this was a "political assassination." If by this is meant only that the act of the criminal, for which he alone is responsible, was connected with political matters, as in the case of Garfield, then I agree that this is true ; but if the intention is to make the charge that this assassination was for a political purpose and with a political end in view, then I respectfully submit that it is absolutely untrue, and that there is nothing to sustain it. No fair man would seek to make such an impression,—an impression so discreditable to the State and involving the entire community where the crime occurred,—except upon such proof or reasonable grounds of presumption as are wholly lacking in this case. John M. Clayton was not murdered because he was a Republican, nor because he was a candidate for Congress, nor yet because he was contesting Breckinridge's seat, but he was doubtless murdered by the wretch who destroyed the ballot-box, in order to avoid detection and punishment. There was, perhaps, this much of politics in it, but no more.

The charges implied in the statement that "John M. Clayton went to Plummerville unarmed and unescorted, recognizing the futility of such precautions against the stealthy assassin, and believing that his opponent, Mr. Breckinridge, who was aware of the condition of affairs in this county, would be willing and able to restrain his partisans," no one will openly make. There is much of the spirit of the assassin in covert charges,—in insinuations intended to suggest charges which are known to be untrue. The condition of Conway County was not such as to suggest even the possibility of assassination. This is not a crime characteristic of the Southern people; it is the crime of cowards; and whatever else may have been said against us, we have not been accused of cowardice. The suggestion that Colonel Clayton went to Plummerville with any thought of assassination is wholly gratuitous, and implies the grossest misrepresentation of the people of Conway County, for he had very recently canvassed this and every other county in the district, and had been treated everywhere with kindness and consideration.

The stab at the good name of Mr. Breckinridge in the insinua-

tion that he might or could restrain assassins—that he was capable of any sort of affiliation or connection with assassins—is monstrous. A good name is dearer than life itself to an honorable man ; and in all his life, public and private, no spot or blemish is to be found upon his character. His purity and uprightness, his manliness and frankness, are characteristics that no truthful man will deny. He is a man of marked gentleness, always thoughtful and careful of the rights and feelings of others. He is unselfish and generous to a fault. With him principle and conscience are guides. In the line of his duty he is brave, but always courteous; he “dares do all that may become a man” ; but his worst enemy has never said he would dare do more. Every fair-minded, manly man who knows him well, whether Republican or Democrat, will at once condemn and denounce this insinuation as unjust and untrue—aye, as infamous. The gentleness of his nature appears in that he has preferred to suffer in silence under these foul aspersions rather than, even in defence of his own good name, be drawn into a unseemly wrangle over Clayton’s dead body. He will bide his time, never doubting his complete vindication by his fellow-men.

I may be pardoned a word just here as to what was the proper political course for Mr. Breckinridge when he learned of this murder. Friends thought that it would have been proper for him to give expression to his detestation of the crime by resigning his claim to his seat. If he had done so, his opponents, ready to assail whatever position he might assume, could and, I believe, would at once have charged that his purpose in resigning was to avoid an investigation into the election of last November, as well as the killing of Clayton; that at the very first moment when his resignation would stop investigation, he had promptly availed himself of it. As he and his party had been assailed, the thing an honorable and honest man would most desire would be the fullest investigation, and to secure this it was necessary for him to hold his place.

A resignation, too, would have implied a doubt upon his part as to the absolute correctness of his claim to his seat. Believing with all his heart, as did his friends, that he had been fairly elected, entertaining no shadow of doubt of this, he could not, even by implication, give currency to any other idea. Fairly elected, justly entitled to his seat, why should he abandon it

after Clayton's unfortunate death any more than during his lifetime?

He is a Representative. Those who fairly elected him have a right to expect him not only to discharge the duties imposed upon him by the position, but that he will preserve and defend the trust committed to his keeping. He retains, as his duty required him to do, his lawful place, quietly awaiting and inviting the fullest investigation not only for himself, but for his district and his party.

The crime of stealing the ballot-box was the beginning of this trouble. It is the fashion in certain quarters to charge a general state of lawlessness against all the South in this matter of outrages upon the ballot. It will scarcely, however, be forgotten by fair men that this is the sole charge of this kind in Major Breckinridge's entire district, composed of sixteen counties and embracing upward of ten thousand square miles of territory, and that in none of the past Federal elections has there been a rumor of wrong of any kind. If the election was to be carried by such means, they would not have been confined to one box, which contained less than five hundred Republican majority. But this, like the greater crime which followed, was not the act of the community, nor that of the Democratic party; but it was the act of certain unknown persons, and is more generally and more strongly condemned in Arkansas than anywhere else.

Outrages upon the ballot, not of this kind, perhaps, but (I respectfully submit) just as grave and reprehensible, are, unfortunately, too common in all sections of the Union. This, of course, is no excuse for wrong-doing in Arkansas. The honesty, patriotism, and good sense of the American people will correct these wrongs there and elsewhere. The State government set up in Arkansas in utter disregard of the rights and wishes of the people, and maintained by the Federal Government, introduced these nefarious practices there. Since it has been removed and a government by the people organized, few instances of the kind have occurred in the State, and these have been most heartily condemned by our own people. The history of the most favored State shows that crime cannot be entirely suppressed; but Arkansas is as successful in that direction as any other State in the Union; and all fair inquiry will show that the State is, and will continue to be, equal to the regulation of her domestic affairs.

JAMES K. JONES.